## BEFORE THE TENNESSEE REGULATORY AUTHORITY NASHVILLE, TENNESSEE

June 21, 2004

IN RE:	)	
PETITION FOR APPROVAL OF THE	)	DOCKET NO.
INTERCONNECTION AGREEMENT	)	04-00106
BETWEEN CITIZENS TELECOMMUNICATIONS	)	,
COMPANY OF TENNESSEE LLC D/B/A FRONTIER	)	
COMMUNICATIONS OF TENNESSEE & CITIZENS	)	
TELECOMMUNICATIONS COMPANY OF THE	)	
VOLUNTEER STATE, LLC D/B/A FRONTIER	)	
COMMUNICATIONS OF THE VOLUNTEER STATE	)	
AND SPRINT COMMUNICATIONS COMPANY L.P.	)	

## ORDER APPROVING THE INTERCONNECTION AGREEMENT

This matter came before Chairman Deborah Taylor Tate, Director Pat Miller and Director Ron Jones of the Tennessee Regulatory Authority (the "Authority" or "TRA"), the voting panel assigned to this docket, at a regularly scheduled Authority Conference held on May 24, 2004, to consider, pursuant to 47 U.S.C. § 252, the Petition for approval of the interconnection agreement negotiated between Citizens Telecommunications Company of Frontier Communications of Tennessee & Citizens LLC d/b/a Tennessee, Telecommunications Company of the Volunteer State, LLC d/b/a Frontier Communications of the Volunteer State and Sprint Communications, L.P., filed on April 12, 2004.

Based upon a review of the agreement, the record in this matter, and the standards for review set forth in 47 U.S.C. § 252, the Directors unanimously granted the Petition and made the following findings and conclusions:

- 1) The Authority has jurisdiction over public utilities pursuant to Tenn. Code Ann. § 65-4-104.
- 2) The agreement is in the public interest as it provides consumers with alternative sources of telecommunications services within the service area of Citizens Telecommunications Company of Tennessee, LLC d/b/a Frontier Communications of Tennessee & Citizens Telecommunications Company of the Volunteer State, LLC d/b/a Frontier Communications of the Volunteer State.
- 3) The agreement is not discriminatory to telecommunications service providers that are not parties thereto.
- 4) 47 U.S.C. § 252(e)(2)(A) provides that a state commission may reject a negotiated agreement only if it "discriminates against a telecommunications carrier not a party to the agreement" or if the implementation of the agreement "is not consistent with the public interest, convenience or necessity." Unlike arbitrated agreements, a state commission may not reject a negotiated agreement on the grounds that the agreement fails to meet the requirements of 47 U.S.C. §§ 251 or 252(d).¹ Thus, although the Authority finds that neither ground for rejection of a negotiated agreement exists, this finding should not be construed to mean that the agreement is consistent with §§ 251 or 252(d) or, for that matter, previous Authority decisions.
  - 5) No person or entity has sought to intervene in this docket.
- 6) The agreement is reviewable by the Authority pursuant to 47 U.S.C. § 252 and Tenn. Code Ann. § 65-4-104.

<sup>&</sup>lt;sup>1</sup> See 47 U S C § 252(e)(2)(B)

## IT IS THEREFORE ORDERED THAT:

The Petition is granted, and the interconnection agreement negotiated between Citizens Telecommunications Company of Tennessee LLC d/b/a Frontier Communications of Tennessee & Citizens Telecommunications Company of the Volunteer State, LLC d/b/a Frontier Communications of the Volunteer State and Sprint Communications, L.P. is approved and is subject to the review of the Authority as provided herein.

Deborah Taylor Tate Chairman

Pat Miller, Director

Ron Jones, Director